



## The Child and Adult Care Food Program

### MEMORANDUM

TO: All Institutions Participating in the Child and Adult Care Food Program (CACFP) and Summer Food Service Program (SFSP or DC Free Summer Meals Program)

FROM: *Norma Birkhead*  
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SUBJECT: Area Eligibility in the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP)

DATE: December 1, 2014

STATE AGENCY MEMO: CACFP #05-2015, SFSP #03-2015

The purpose of this memorandum is to provide guidance on the use of school and census data to establish area eligibility in the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP). In addition, this memorandum consolidates previous guidance and simplifies the area eligibility determination process to reduce administrative burden on State agencies and Program operators. This memorandum also includes guidance on the Community Eligibility Provision (CEP) as it relates to area eligibility determinations. This memorandum supersedes CACFP 13-2014, SFSP 07-2014, *Area Eligibility Using Census Data* released June 20, 2014.

The two primary sources of data that may be used to determine whether a site is area eligible are school data and census data. The Richard B. Russell National School Lunch Act (NSLA) allows the use of school data to establish area eligibility in the CACFP [42 U.S.C. 1766(f)(3)(A)(ii)(I)(bb)] and SFSP [42 U.S.C. 1761(a)(1)(A)(i)(I)]. The NSLA also allows the use of census data to establish tier I eligibility for CACFP day care homes [42 U.S.C. 1766(f)(3)(A)(ii)(I)(aa)] and area eligibility for SFSP sites [42 U.S.C. 1761(a)(1)(A)(i)(II)].

Area eligibility determinations made using either school or census data must be re-determined every five years. Once a site establishes area eligibility, the eligibility is effective for a period of five years, regardless of any transition from one Child Nutrition Program to another. However, because area eligibility for CACFP at-risk afterschool meals must be based on school data, SFSP sites that established eligibility using census data must provide additional documentation indicating that they are area eligible based on school data to participate in CACFP at-risk afterschool meals.

### Use of School Data

School data may be used to establish area eligibility for the CACFP and SFSP, excluding camps. In order for a site to be determined area eligible, school data must indicate that the proposed meal site is located in the attendance area of a school where at least 50 percent of the children are eligible for free or reduced price school meals. To determine area eligibility in situations where public schools routinely bus children from their neighborhood school to other schools, please see memorandum CACFP 02-2011, SFSP 01-2011, *Effects of Busing on Area Eligibility in the Child and Adult Care Food Program, the Summer Food Service Program and the Afterschool Snack and the Seamless Summer Option served through the National School Lunch Program*, December 6, 2010,

<http://www.fns.usda.gov/school-meals/policy>



## Use of Census Data

CACFP day care homes and SFSP sites that establish eligibility using census data are required to use the most recent census data available [7 CFR 226.6(f); 7 CFR 225.6(c); SP 39-2014]. In 2005, the Census Bureau began to annually estimate household income using the American Community Survey (ACS). The ACS is an ongoing survey that provides annual estimates, based on sampling data, in order to give communities more current information than the decennial census is able to provide.

In 2012, FNS announced the release of these ACS data annually via memorandum. Beginning in Fiscal Year 2015, FNS will annually announce the release of these data to the public via GovDelivery at <https://public.govdelivery.com/accounts/USFNS/subscriber/new?pop=t>. These data will be released in October to encourage early recruitment and approval of SFSP sites and increase Program access.

### Prioritizing Data in CACFP

CACFP regulations currently require institutions to first make a reasonable effort to establish area eligibility with school data prior to using census data [7 CFR 226.15(f)]. Previously, when census data were released decennially, school data were thought to more closely reflect the current socioeconomic status of a given area. Because census data are now annually estimated and released, this policy is no longer necessary. Therefore, this policy is amended to allow the use of either school or census data for applicable area eligibility determinations in the CACFP. Sponsoring organizations in the CACFP no longer have to first make a reasonable effort to establish area eligibility with school data prior to using census data [7 CFR 226.15(f)].

### Geographic Areas Covered by Census Data

CACFP day care homes and SFSP sites located in a Census Block Group (CBG) or Census Tract in which 50 percent or more of the children are eligible for free or reduced price school meals are considered area eligible for a period of 5 years. CACFP day care homes and SFSP sites are considered area eligible if they are located in a CBG or Census Tract that qualifies under either CACFP or SFSP.

Previously, CBGs were the only permissible geographical unit that could be used to assess eligibility for CACFP and SFSP when using census data. In May 2014, FNS issued guidance providing CACFP day care homes and SFSP sites flexibility to also use Census Tracts, geographical units that consist of one or more of the CBGs, to determine area eligibility [SP 49-2014, CACFP 13-2014, SFSP 19-2014, *Area Eligibility Using Census Data*, May 28, 2014].

Occasionally, a potential CACFP day care home or SFSP site is determined not to be area eligible, but is located immediately adjacent to an eligible area. This proximity suggests that the children residing in the area from which the home or site would most likely draw participants would have a likelihood of similar census demographics. In recognizing that likelihood and allowing additional flexibility in the use of census data to establish area eligibility, we can ensure area eligibility determinations accurately identify areas in which poor economic conditions exist.

Therefore, based on analysis of the proposed location, with both State agency and Regional Office approval, up to three adjacent CBGs may be averaged, using a weighted average, to determine eligibility. In such a case, CACFP day care homes and SFSP sites are considered area eligible if the percentage of children eligible for free or reduced-price meals in up to three adjacent CBGs when averaged is 50 percent or more, provided that at least 40 percent of children in each of the individual CBGs are eligible for free or reduced-price meals. Census Tracts may not be combined.

### Reclassification of Day Care Home Providers

Sponsors must annually inform tier II day care home providers that the providers may ask for a reclassification to be considered when new census data become available each year and that reclassification may be made at any time for tier II homes. If a day care home is currently classified as tier II, but the CBG data demonstrates that the home is now tier I, then the sponsor may immediately change the status of that home to tier I and pay the higher rate of

reimbursement for the current and subsequent months. A reclassification to tier I status is good for five years, at which time eligibility for this classification must be reconfirmed. When a home is reclassified, retroactive reimbursement at the higher tier I rates will not be provided for any previous month.

#### Area Eligibility Established Using Census Data between February 13, 2012, and April 6, 2012

The Census Bureau incorrectly categorized children with missing poverty information as eligible for free and reduced price meals in the dataset released by FNS on February 13, 2012. This coding error resulted in an overestimate of the number of children eligible for free or reduced price meals in the affected block groups.

State agencies monitoring SFSP and CACFP sponsors that determined area eligibility using census data released between February 13, 2012, and April 6, 2012, should ensure that eligibility was re-determined for FY 2013. SFSP sites located within the affected CBGs for which eligibility determinations were made using the inaccurate data were permitted to maintain their eligibility for fiscal year (FY) 2012, but eligibility redeterminations were required for FY 2013. For purposes of CACFP, eligibility redeterminations for tier I day care homes located within the affected block groups were required by September 30, 2012, but State agencies were permitted to establish an earlier date. Eligibility determinations for CACFP day care homes and SFSP or SSO sites for which eligibility was determined after April 6, 2012, must have been made using the corrected data.

#### Accessing the Data

Census Tract and CBG data are now available through the FNS Area Eligibility Mapper, which is located at <http://www.fns.usda.gov/areaeligibility>.

The FNS Area Eligibility Mapper was published in 2014 and intended for State agencies and sponsors to determine area eligibility in CACFP and SFSP. The map also can be used to conduct weighted averaging as discussed above. Instructions for determining eligibility using these data are available at: [http://www.fns.usda.gov/sites/default/files/Census%20Instructions%202014\\_0.pdf](http://www.fns.usda.gov/sites/default/files/Census%20Instructions%202014_0.pdf). The instructions offer two different tools to determine eligibility: the FNS Area Eligibility Mapper and a map developed by the Food Research and Action Center (FRAC). The FRAC map is constructed from the same data files and also may be used to determine eligibility.

Additionally, State agencies may request the data file for every CBG and Census Tract, including Federal Information Processing Standards (FIPS) codes for Geographic Information System (GIS) efforts, in their State. State agencies also may provide these data to institutions and partners upon request.

#### **Use of Other Approved Data Sources in SFSP**

In SFSP, area eligibility also may be established by using documentation from other approved sources to demonstrate that 50 percent or more of the children in a defined area are eligible for free or reduced price school meals [7 CFR 225.2]. Eligibility determinations using approved alternative data also remain in effect for five years. Approved alternative data sources may include:

- Departments of Welfare
- Zoning Commissions
- USDA's Rural Development Housing Authorities
- Housing and Urban Development (HUD) Housing Authorities
- Local Housing Authorities

For example, if an SFSP site is located in a HUD housing authority development and it does not qualify based on school or census data, the site may be considered area eligible using HUD data if residents of the housing development meet income eligibility requirements that are equivalent to or more restrictive than the SFSP requirements. The State agency and sponsor must work with the agency that maintains the data to confirm this

information. Further information may be obtained from FNS Memo CACFP 04-2015, SFSP 03-2015 at <http://www.fns.usda.gov/cacfp/policy> .